IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

THURSDAY, THE 16TH AUGUST 2007 / 25TH SRAVANA 1929

WP(C).No. 24097 of 2007(R)

PETITIONERS:
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1. **DR.RADHAKRISHNAN, AGED 54 YEARS,**
   S/O NARAYANAN, SAMTHIMADOM, THEKKE NALUVAZHI,
   N.PARAVUR, PARAVUR TALUK, ERNAKULAM DISTRICT.

2. **RAGESH MANU, AGED 19 YEARS,**
   S/O.DR.RADHAKRISHNAN, DO. DO.

3. **MANJUSHA, AGED 28 YEARS,**
   D/O.DR.RADHAKRISHNAN,
   DO. DO.

BY ADV. SRI.V.A.PRADEEP KUMAR

RESPONDENTS:
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1. **DIRECTOR GENERAL OF POLICE, TRIVANDRUM.**

2. **SUPERINTENDENT OF POLICE,**
   (VANITHA CELL), TRIVANDRUM,
   OFFICE OF THE SP (VANITHA CELL),
   TRIVANDRUM.

3. **CIRCLE INSPECTOR OF POLICE,**
   NORTH PARAVUR, ERNAKULAM DISTRICT.

4. **DHANYA, AGED 22,**
   D/O. SHIVADASAN, KOZHIKKOTTUPARAMBIL HOUSE,
   THAIKKODAM KARA, POONITHURA VILLAGE,
   KANAYANNOOR TALUK, ERNAKULAM DISTRICT.

BY GOVERNMENT PLEADER SRI.SALIM P.A.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.24097/2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE PETITION FILED BY THE 4TH RESPONDENT BEFORE THE 3RD RESPONDENT DT. 20.3.07.

EXT.P2:- COPY OF THE AGREEMENT EXECUTED BY THE 1ST PETITIONER IN FAVOUR OF THE 4TH RESPONDENT DT. 22.3.07.

EXT.P3:- COPY OF THE FIR IN CRIME NO.260/07 ON THE FILED OF THE 3RD RESPONDENT .

EXT.P4:- COPY OF THE ORDER IN CRIMINAL MC NO.555& 562/07 ON THE FILE OF THE PRL.SESSION COURT, EKM.

EXT.P5:- COPY OF THE REPORT FILED BY THE 3RD RESPONDENT BEFORE THE HONOURABLE JFMC, NORTH PARAVUR.

EXT.P6:- COPY OF THE PETITION SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT .

/TRUE COPY/

P.A. TO JUDGE

K.BALAKRISHNAN NAIR & HARUN-UL-RASHID, JJ.

WPC NO.24097 OF 2007-R

Judgment

Balakrishnan Nair, J.

The petitioners have approached this Court, alleging that they are being harassed by the 2nd respondent on the basis of some petition filed by the 4th respondent. The alleged harassment by the 2nd respondent Officer is the direction issued to the petitioner to appear before her to enquire into the complaint filed by the 4th respondent before the said Officer. This Court on 07.08.2007, issued an order directing that if the 2nd respondent requires the presence of the petitioners, the said Officer shall issue notice in writing to them. Now, the learned counsel for the petitioners submitted that a notice has been issued by the 2nd respondent directing the first and third petitioners to appear before her on 13.08.2007. It was served on them on 11.08.2007. The learned Government Pleader upon instruction submitted that the allegation of harassment made against the 2nd respondent is absolutely unfounded. When a petition alleging sexual harassment against the 2nd petitioner was received from the 4th respondent, the 2nd respondent is obliged to hold an enquiry into it. By asking the first and third petitioners to appear before her, the said Officer is only discharging her duty, it is submitted.

2. The learned counsel for the petitioners submits that the 4th respondent is sending petitions to all authorities under the Sun to harass them. But, we cannot judicially review the commissions/omissions of the 4th respondent. We find that the steps taken by the 2nd respondent to question the petitioners in connection with the complaint filed by the 4th respondent is in order and within jurisdiction. This Court cannot interfere with the same. Accordingly, the Writ Petition is dismissed. If the first and third petitioners require further time for appearing before the 2nd respondent, they may move the said respondent in that regard.

K.BALAKRISHNAN NAIR,JUDGE

16.08.2007 **HARUN-UL-RASHID, JUDGE**

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